



1951.

Indus Disputes II
File No. 51 (N)

Legal Deptt.
B BRANCH

Subject:— Notifications under the

$\frac{P=3}{E}$ Industrial Disputes Act, 1947

File No. Indus Disputes II/57 (N)

64-B

Legal Department.

The view taken at 'A' by the Labour & Housing Department in its note at p. 9 ante is not correct.

In the case of a Tribunal which consists of one person sub-section (2) of section 9 of the Industrial Disputes Act, 1947 provides that where a Tribunal consists of one person only and his services cease to be available, the appropriate Government shall appoint another independent person in his place and the proceedings shall be continued before such person accordingly. The proposal of the L. & H.D. amounts to superseding the present Tribunal by constituting five new tribunals each consisting of one person. This would mean withdrawal of proceedings from a tribunal which is already seized of those proceedings and transfer of those proceedings to other Tribunals. The Act does not however provide for a withdrawal or transfer of disputes which have been once referred to a Tribunal. The safe course would be to appoint another person on the Tribunal in place of Shri M.C.Shah and that person should hear the proceedings which were pending before Shri M.C.Shah.

In place of the five drafts sent by the L. & H.D., a revised draft is sent herewith.

ID# J.R.D. 29/1
Additional Secretary to Government.

U.R. to L. & H.D., No. 1808,

dated 30th January 1951.

(awp)
JPE.28/6/56.4c.

8/5/51

Office of the R.L.A.

A revised draft notification is sent herewith.

2. In the Statement VI at page 15, the names of those factories which are to be exempted from the provisions of section 3 of the Industrial Disputes Act, 1947, are given. And in the fifth column the particulars of Government letters by which the exemption was given are shown. As the exemption is now being granted by a notified order as advised by the Government of India, it is not necessary to refer to any Government letter in the case of such factories.

Id/- J.R.D.
14/4

Remembrancer of Legal Affairs.

U.R. to L. & H.D. NO., 6187,

dated the 17th April 1951.

JPE.28/6/56.
4 copies.

Labour and Housing Department,
Bombay Castle, April 1951.

O R D E R.

Industrial
Disputes Act,
1947.

No. 267/48.- In exercise of the power conferred by sub-section (1) of section 3 of the Industrial ~~and~~ Disputes Act, 1947 (XIV of 1947), the Government of Bombay is pleased to revoke the orders specified in columns 3 and 4 of the Schedule annexed hereto in so far as they relate to the establishments specified against them in column 2 of the said Schedule.

SCHEDULE.

To be
inserted
by the
Department.

*(Here insert Parts I to IV as amended
omitting the headings thereof).

By order of the Governor of
Bombay,

Secretary to Government.

JPE.28/6/56.
4 copies.